

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **PLAYTOP TOYS**. The specification of which was filed October 10, 2000 as U.S. Patent Application Serial Number 09/686,275. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claim

Yes No

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Number	Country	Day/Month/Year Filed
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:		

Application Serial No.	Filing Date	Status: Patented, Pending, Abandoned
I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:		
60/158,288	10/08/99	
Application Serial No.	Filing Date	

hereby appoint the following as my attorneys with full power of substitution to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith:


Thomas B. Haverstock	32,571	Jonathan O. Owens	37,902
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Please direct all correspondence regarding this application to the following:

Thomas B. Haverstock
HAVERSTOCK & OWENS LLP
260 Sheridan Avenue, Suite 420
Palo Alto, California 94306

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Joint Inventor: Gary Levenberg


Inventor's Signature: 

Date

1/17/01

Residence: 270 Valley Street, San Francisco, California 94131Citizenship: United States of AmericaPost Office Address: 270 Valley Street, San Francisco, California 94131

Full Name of Second Joint Inventor: Brian Clemens


Inventor's Signature:  1-17-01
Date

Residence: ~~1340 McAllister Street, San Francisco, California 94131~~ 4306 17TH ST, 94114

Citizenship: United States of America

Post Office Address: ~~1340 McAllister Street, San Francisco, California 94131~~ 4306 17TH ST, 94114

Full Name of Third Joint Inventor: Dan Klitsner

Inventor's Signature:  1/17/01
Date

Residence: 441 Holcomb Street, Larkspur, California

Citizenship: United States of America

Post Office Address: 441 Holcomb Street, Larkspur, California 94131



Applicant Or Patentee: Gary Levenberg et al.
Serial or Patent No.: 09/686,275
Filed or Issued: October 10, 2000
Entitled: PLAYTOP TOYS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR § 1.9(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☒ an owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: **KID Interactive, LLC**
Address of Concern: **58 Second Street, 5th Floor
San Francisco, CA 94105**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR §§ 121.3-18, and reproduced in 37 CFR § 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **PLAYTOP TOYS** by inventor(s) Gary Levenberg et al. as described in:

☒ the specification filed herewith
☐ Application Serial No. 09/686,275 filed October 10, 2000
☐ Patent No. , issued

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below' and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR § 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27).

Full Name: _____
Address: _____
[] Individual [x] Small Business Concern [] Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Gary Levenberg
Title in Organization: Managing Director
Address of Person Signing: 58 Second Street, 5th Floor, San Francisco, CA 94105

Dated: 11/7/01 Signature: [Signature]